

# THE INDEPENDENT.

VOL. XIII.

HONOLULU, T. H., WEDNESDAY, DECEMBER 18, 1901.

No. 2083.

## Oceanic Steamship Company. TIME TABLE:

The Fine Passenger Steamers of This Line Will Arrive and Leave This Port as Hereunder.

### FROM SAN FRANCISCO:

\*SIERRA ..... DEC. 11  
ALAMEDA ..... DEC. 21

1902

SONOMA ..... JAN. 1  
ALAMEDA ..... JAN. 11  
VENTURA ..... JAN. 22  
ALAMEDA ..... FEB. 1  
SIERRA ..... FEB. 12  
ALAMEDA ..... FEB. 22  
SONOMA ..... MAR. 5  
ALAMEDA ..... MAR. 15  
VENTURA ..... MAR. 26  
ALAMEDA ..... APRIL 5

### FOR SAN FRANCISCO:

ALAMEDA ..... DEC. 4  
SONOMA ..... DEC. 10  
ALAMEDA ..... DEC. 25  
VENTURA ..... DEC. 31

1902

ALAMEDA ..... JAN. 15  
SIERRA ..... JAN. 21  
ALAMEDA ..... FEB. 5  
SONOMA ..... FEB. 11  
ALAMEDA ..... FEB. 26  
VENTURA ..... MARCH 4  
ALAMEDA ..... MARCH 19  
SIERRA ..... MARCH 25  
ALAMEDA ..... APRIL 9

In connection with the sailing of the above steamers, the Agents are prepared to issue, to intending passengers, coupon through tickets by any railroad from San Francisco, to all points in the United States, and from New York by any steamship line to all European ports.

For further particulars apply to

**Wm. G. Irwin & Co.**  
LIMITED.

General Agents Oceanic S. S. Company.

**U-NEED-A**

**Biscuit or Jinga Wayfa**

Or some other kind of Biscuit or Wafer

— SUCH AS —

CHAMPAGNE,  
ORANGE,  
LEMON,  
STRAWBERRY,  
VANILLA,  
CHOCOLATE,

Wafers

WATER,  
BENTS H. M.  
HIGH TEA,  
SNOW FLAKE,  
OYSTER,  
GINGER,  
PRETZELS,  
GRAHAM,  
EDUATOR,

Crackers

Etc., Etc., Etc., Etc.

Just received a fresh shipment of the above at

**HENRY MAY & CO., LTD**

FORT STREET.

P. O. BOX 386.

TELEPHONES. MAIN 22, 24, 92.

Per ALAMEDA, for Camarino Refrigerator—An extra fresh supply of Grapes, Apples, Lemons, Oranges, Limes, Nuts, Raisins Celery, Fresh Salmon, Cauliflower, Rhubarb, Asparagus, Cabbage, Eastern and California Oysters (in tin and shell), Crabs, Turkeys, Flounders, etc. All game in season. Also fresh Rock-roft, Swiss and California Cream Cheese. Place your orders early prompt delivery.

CALIFORNIA FRUIT MARKET  
Corner King and Alakea St.

**F. H. REDWARD,**

CONTRACTOR AND BUILDER

Jobbing promptly attended to.

Punchbowl Street, No. 42. Tele-  
953 phone 1701, Blue.

**Metropolitan Meat Co.**

**BUTCHERS**

— AND —

**Navy Contractors**

31 KING STREET.

G. J. WALLER, . . . MANAGER

Wholesale and  
Retail

**THOS. LINDSAY,**

**Manufacturing Jeweler.**

Call and inspect the beautiful and useful  
display of goods for presents or for per-  
sonal use and adornment.

Love Building, 690 Fort Street.

### The Kamalo Case.

More trouble arose yesterday in the Kamalo case which again came up in Judge Humphreys' Court.

In refusing to assume jurisdiction, the Court said: "Section 81 of the Organic Act provides that no judge shall sit on appeal or new trial in any case in which he may have given a previous judgment.

"The case of Hitchcock et al. was heard by the First Judge, and after such hearing he rendered a final decree upon the merits of the case, from which an appeal was taken."

Referring to the decision of the Supreme Court, Judge Humphreys said:

"In no part of the mandate referred to is reference made to the First Circuit Judge of the First Judicial Circuit. The reference is entirely to the Circuit Judge of the First Judicial Circuit. It may be that the Supreme Court thought that as a matter of economy and convenience, it would be better to have this trial before the judge from whom the appeal was taken, but it does not appear that their attention was called to the section of the Organic Act to which I have referred, nor did they, in deciding the case, pass upon the right of the First Judge to hear the case upon such remand. It is not clear to my mind that it was intended that the First Judge should retry the case.

"It will be observed that the decree appealed from is reversed, and the case is remanded to the Circuit Judge of the First Circuit, with instruction to receive such evidence as may be offered under the amendments to the pleadings and for such further proceedings consistent with the foregoing review as may be proper."

"If the Organic Act prohibits me from further sitting in this matter and the Supreme Court does not require me to do so, it is not inconsistent with the foregoing for me to decline jurisdiction.

"The words 'appeal and new trial,' may or may not have been used in a technical sense by Congress. If they are to be taken in their technical sense, then unquestionably I have jurisdiction. I am not sitting on appeal, nor am I sitting in a new trial, for there is no such thing as new trial in an equity case. I am, however, sitting in what is equivalent to a new trial."

"While under the decision of the Supreme Court it may not be necessary to hear the entire case over, yet there are some essential parts of the case which would have to be presented.

"I believe the purpose of the Organic Act was to give the parties the right to have their case adjudicated by some judge who had not expressed himself upon the merits of the entire case. The parties, either plaintiff or defendant, should not be compelled to submit their property rights to a judge who has already passed upon the merits of the entire case. The decree in this case was reversed because the judge declined to receive certain evidence. If the same judge can retry this case, it would seem that the provision of the Organic Act in question can have no application to any case where a new trial is granted on account of the error of the trial judge in rejecting evidence. I find no such exception justified by the language of the act.

"I do not believe I have jurisdiction in this matter, and being uncertain as to the meaning of the mandate, I resolve the doubt against my jurisdiction and decline to proceed further."

To Let—A furnished room at No 9 Garden Lane. Mrs. McConnell.

When you want a hack ring up 191. On that stand you will get a reliable and good driver, a fine hack and no overcharging.

### Calendars and Christmas Cards.

Pretty Scenes to send to your Friends for Christmas, also Albums of Views, now on exhibition.

**Davey**

Photographic Co.,  
LIMITED.

MOTT-SMITH BLOCK,

Corner Fort and Hotel Streets.  
2676-1f.

**3 CAR LOADS**

— OF —

**Budweiser and  
Premium Pale Beer**

Just to hand ex Schooner

'HELENE.'

Now offered for sale at  
LOWEST PRICES by

**H. HACKFELD & CO.**  
LIMITED.

**ROCK FOR BALLAST.**

{White and Black Sand  
In Quantities to Suit

EXCAVATING CONTRACTED.

— FOR —

**CORAL AND SOIL FOR SALE.**

Dump Carts furnished by  
the day on Hour's Notice.

**H. R. HITCHCOCK**

Office with J. M. Monsarrat, Cart  
wright Building, Merchant St.  
1590 -1f

**THE PANTHEON**

Hotel St. near Fort.

**SEATTLE BEER**

On Draught or in Bottles—Ice Cold.

SPECIAL PARCELS MADE UP

—FOR—

**THIS DAYS**

1710-1f

**LONG BRANCH BATES**

WAIKIKI BEACH, . . . Honolulu,

G. J. SHEERWOOD, Proprietor.

There earth and air, and sea and sky,  
With breaker's song, give lullaby.

King Street Tram-Cars pass the door  
Ladies and children especially please pay.

When desiring a hack, surgery  
buggy, etc., with careful drivers,  
ring up Telephone 118—Territory  
Stable Co., Ltd.

### LOCOMOBILE FOR SALE

One New Locomobile, No. 377  
Style 2, made by The Locomobile  
Co. of America, of Newton, Mass.  
U. S. A., patented Nov. 14, 1899  
Very little used, the property of the  
late Joseph Heleluhe, and run by  
gasoline.

— ALSO —

**One Bicycle,**

in very good order.

For particulars, apply to Mrs.  
Heleluhe, at Washington Place, or  
to F. J. Testa, this office.

**FOR RENT.**

**Cottages,**

**Rooms,**

**Stores**

On the premises of the Sanitar  
Steam Laundry Co., Ltd., between  
South and Queen streets,

The buildings are supplied with  
hot and cold water and electric  
lights. Artesian water. Perfect  
sanitation.

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**J. LIGHTFOOT,**

On the premises, or at the office of  
J. A. Mazoon. 88-1

**Bruce Waring & Co.,**

**Real Estate Dealers.**

503 Fort St. near King.

**BUILDING LOTS,  
HOUSES AND LOTS, AND  
LANDS FOR SALE**

\*Parties wishing to dispose of the  
properties are invited to call on us.

**A SUMMER PROPOSITION.**

Well, now there's the

**ICE QUESTION !**

You know you'll need ice; you  
know it's a necessity in hot weather.  
We believe you are anxious to get  
that ice which will give you satisfac-  
tion, and we'd like to supply  
you. Order from

**The Oahu Ice & Electric Co.**

HOFFMAN AND MARKHAM.

Telephone 3151 Blue, Postoffice  
Box 606. 77

**Sanitary Steam Laundry  
Co., Ltd.**

**GREAT REDUCTION IN PRICES**

Having made large additions to  
our machinery, we are now able to  
launder SPREADS, SHEETS, PIL-  
LOWSLIPS, TABLE CLOTHS,  
TABLE NAPKINS, and TOWELS  
at the rate of 25 cents per dozen,  
cash.

Satisfactory work and prompt de-  
livery guaranteed.

No fear of clothing being lost  
from strikes.

We invite inspection of our laun-  
dry and methods at any time during  
business hours.

**Ring Up Main 73,**

and our wagons will call for your  
work. 14